

REMARKS

Claims 1 and 2 and claims 4-17 are pending in the subject application. Claims 1 and 2 and claims 4-17 stand rejected under 35 U.S.C. 103(a). Claim 1 is further objected to for formal reasons. Claims 1, 4, 7, and 15-17 have been amended.

The Applicants appreciate the Examiner's thorough examination of the subject application. Moreover, the Applicants appreciate the Examiner's granting a telephone interview on August 19, 2005. The Applicants respectfully request reconsideration of the subject application based on the above amendments and the following remarks.

35 USC § 103(a) REJECTIONS

The Examiner has again rejected claims 1, 2, 4-6, 15, and 16 under 35 U.S.C. §103(a) as being unpatenable over U.S. Patent Number 5,872,611 to Hirata, et al. ("Hirata" or the "Hirata Reference") in view of U.S. Patent Number 6,256,080 to Colgan ("Colgan" or the "Colgan Reference") or vice versa; and claims 7-14 and claim 17 under 35 U.S.C. §103(a) as being unpatenable over Hirata and Colgan further in view of U.S. Patent Number 6,313,898 to Numano, et al. ("Numano" or the "Numano Reference") or, alternatively, as being unpatentable over Colgan and Hirata, further in view of Numano. The Applicants respectfully traverse these grounds for rejection in view of the above amendments and for the reasons provided below.

With respect to independent claims 1, 4, 15, and 16 (and all claims depending therefrom), independent claims 1, 4, 15, and 16 have been amended to recite that when voltage is applied to one of the electrodes, the distal end of the liquid crystal molecules is tilted about the proximal end of the liquid crystal molecules so that the liquid crystal molecules are tilted away from the volume excluding member to the side edge of the electrode that is opposite the side edge of the volume excluding member. For added clarity, the claims further recite that proximal end of the liquid crystal molecules is that end which is closer to the volume excluding member.

Pursuant to our telephone interview and using the same convention that the proximal end of the liquid crystal molecules is that end which is closer to the volume excluding member, the Hirata reference teaches that the proximal end of the liquid crystal molecules is tilted about the distal end of the liquid crystal molecules so that the liquid crystal molecules are tilted away from the volume excluding member to the side edge of the electrode that is opposite the side edge of the volume excluding member. Thus, the Hirata reference does not anticipate the invention as claimed.

With respect to independent claims 7 and 17 (and claims depending therefrom), the claims have been amended to recite that when voltage is applied to the electrode, the liquid crystal molecules in pixel portions are oriented in a substantially uniaxially horizontal alignment along with the liquid crystal molecules in non-pixel portions. This feature is not taught, mentioned or suggested by the references cited by the Examiner.

Accordingly, it is respectfully submitted that, the claims are not made obvious by any of the cited references, and further, satisfy all of the requirements of 35 U.S.C. § 100, et seq., especially § 103(a). Accordingly, the claims as amended are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

The Applicants believe that no additional fee is required for consideration of the within Preliminary Amendment. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

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